

REMARKS

Reconsideration and allowance of the present application are respectfully requested. Claims 1-7 and 10-19 remain pending in the application. By this Amendment, claims 1, 15 and 16 are amended.

In numbered paragraph 3, page 2 of the final Office Action, independent claims 1, 15 and 16, along with various dependent claims, are rejected as being unpatentable over U.S. Patent No. 5,926,463 to Ahearn et al (Ahearn). This rejection is respectfully traversed.

Applicants have disclosed discovering Cisco Discovery Protocol (CDP) nodes in a network in real time. As shown in Fig. 2, the discovery process can be seeded by either a user input or from previously identified nodes (specification at paragraph [0016]). Specifically, the user is queried to provide the first CDP node information 204. Additionally, the discovery process can have a limit to its depth of recursion 400 from the first CDP node to limit the discovery process (e.g., specification at paragraphs [0018] and [0019]). These features can speed the discovery of desired portions of the network (id.).

The foregoing features are broadly encompassed by claim 1 which recites, among other features, a method of discovering Cisco Discovery Protocol (CDP) nodes in a network in real time, including seeding a discovery process using at least one of querying a user to provide a first CDP node information and searching a database of nodes previously discovered by a network manager to identify a first CDP node, a depth of recursion from the first CDP node being limited to limit the discovery process.

In numbered paragraph 5 of the Office Action, as to claims 1-2, the Examiner asserts that the Ahearn patent teaches "e.g., Fig. 5, wherein the spanning tree discovery starts with a user supplied node." Notwithstanding the Examiner's assertion, the Ahearn patent does not speak of seeding a discovery process, and does not teach or suggest querying a user to provide a first CDP node information, as recited in claims 1, 15 and 16. Instead, Fig. 5 merely discloses "For each user supplied node or bridge do the following and build a B-Tree along the way."

Accordingly, the Examiner's assertion is respectfully traversed.

In numbered paragraph 6, page 3 of the Office Action, the Examiner admits that the Ahearn patent does not specifically teach imposing limits on a depth and/or breadth search for additional nodes. However, on page 4 of the Office Action, the Examiner asserts that the Ahearn patent teaches that a user is free to create a hierarchy of limitless depth. Notwithstanding the Examiner's assertion, the Ahearn patent does not teach or suggest a depth of recursion from a first CDP node being limited to limit the discovery process, as recited in claims 1, 15 and 16.

The Ahearn patent discloses "a hierarchy of limitless depth" relative to the hierarchy of submaps that can be specified by the user (col. 23, lines 17-22). But the hierarchy of submaps as taught by the Ahearn patent does not relate to limiting the depth of recursion from a first CDP node, and does not limit the discovery process, as recited in claims 1, 15 and 16.

Accordingly, the Ahearn patent does not speak of seeding the discovery process by either (1) a user input or (2) from previously identified nodes, and does not teach or suggest a depth of recursion from a first CDP node being limited to limit the discovery process, as recited in claims 1, 15 and 16.

For the foregoing reasons, Applicant's claims 1, 15 and 16 are allowable over the Ahearn patent. The remaining claims depend from independent claims 1 and 16 and recite additional advantageous features which further distinguish over the document relied upon by the Examiner. As such, the present application is in condition for allowance.

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the application is in condition for allowance and a Notice of Allowance is respectfully solicited.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: May 23, 2005

By: R. C. Keane
Patrick C. Keane
Registration No. 32,858

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620